

Amendment and Response

Applicant: Maxine C. Thome et al.

Serial No.: 09/929,827

Filed: August 14, 2001

Docket No.: P147.102.101

Title: LIGHT GUARD

REMARKS

This Amendment is responsive to the Office Action mailed March 5, 2003. In that Office Action, the Examiner rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over Klaus, U.S. Patent No. 5,537,304 ("Klaus"). However, the Examiner's indication that claims 1, 2, 4, 6, 8-10, 12-15, and 18-21 have been allowed, and that the proposed drawing correction previously submitted on January 3, 2003 have been approved, is noted with appreciation.

It is believed that all claims are now in condition for allowance. Notice to that effect is respectfully requested.

35 U.S.C. § 103 Rejections

In the Office Action, claim 11 was rejected under 35 U.S.C. 103 as being unpatentable over Klaus U.S. Patent 5,537,304.

Applicant's independent claim 11 specifies, in part, a frame having a first half, and a second half, with means for releasably securing the two halves together. Each frame half includes a base portion and a body portion, with the body portion extending generally perpendicular from the base portion.

In contrast, Klaus discloses frame 8 having wall members 10,11,13,15. Frame 8, is a single member and does not form two halves and therefore also does not have means for releasably securing two halves together. Likewise, each of layer 6, panel assembly 9, and diffuser frame 7 form a single member and do not form two halves, and also therefore also do not have means for releasably securing two halves together.

Accordingly, Klaus fails to disclose two halves of a frame which releasably secure together and in which each half has a body portion and a base portion, as specified in Applicant's claim 11.

Moreover, Figure 4 does not show members "10,11,13, and 15 extend[ing] generally perpendicular relative to the base portion of the frame". Rather, members 11,12,13 and members 111,112,113 of Klaus appear parallel to each other and/or to generally the same plane (Fig. 4), and appear to simply abut each other in an end-to-end relationship (see 11 and 113 in Fig. 4) and/or the ceiling C (see 113 and C in Fig. 4), and therefore are dissimilar to the frame in

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Applicant's claim 11 in which the body portion of the frame extends generally perpendicular to the base portion of the frame.

Finally, in addition to failing to disclose the above-identified features, Klaus fails to disclose "a method of mounting the light socket", as acknowledged in the Office Action.

For these reasons, Klaus fails to make obvious Applicant's independent claim 11.

Allowable Subject Matter

In light of the above, Applicant believes independent claim 11 is in condition for allowance. Allowance of this claim is respectfully requested.

Drawings

The proposed drawing correction of Figure 8 filed on January 3, 2003 was approved. Applicants have filed concurrently with this Response, a Communication to the Official Draftsperson submitting the corrected drawing. A copy of the drawing is enclosed.

Petition to Claim Priority

Applicants also wish to draw the Examiner's attention to a Petition to Claim Benefit under 35 U.S.C. § 119(e) of Prior Filed Provisional Application (Petition to Accept Unintentionally Delayed Claim of Priority) that is being filed concurrently with this Response. Applicants respectfully request acceptance of this Petition.

CONCLUSION

It is believed that all claims are now in a condition for allowance. Notice to that effect is respectfully requested.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 500471.

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this response.

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, Washington, D.C., 20231 on this 30 day of May, 2003.

By Steven E. Dicke
Name: Steven E. Dicke

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JUN 05 2003

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